

## DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



December 28, 1992

Reason for this Transmittal	
<input type="checkbox"/>	State Law Change
<input type="checkbox"/>	Federal Law Change
<input checked="" type="checkbox"/>	Court Order or Settlement Agreement
<input type="checkbox"/>	Clarification Requested by One or More Counties
<input type="checkbox"/>	Initiated by SDSS

ALL-COUNTY LETTER NO. 92-118

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: REFUGEE CASH ASSISTANCE (RCA) PROGRAM CAUSE DETERMINATION  
AND CONCILIATION NOTICES

The purpose of this letter is to transmit two new notices to be used in the RCA cause determination and conciliation process, as required by the September 9, 1992 court order in the case of Dang, et al. vs. McMahon, et al. County Welfare Departments (CWDs) are required to begin using these forms immediately.

Because of the pending termination of the RCA program (effective January 31, 1993), the Department of Social Services is not making printed forms available; however, a reproducible copy of each form is enclosed for your use. Translated versions of the forms also will be provided to the counties at a later date.

We recognize that implementation of this court order so close to the termination date of the program imposes a significant administrative burden, which in turn may result in reduced services or processing delays in other CWD programs. We have, however, been required by the court to issue this letter and these forms despite the impending elimination of the program.

Following is a description of each of the enclosed forms:

RCA 43 - RCA Notice of a Participation Problem

The RCA 43 must be used to schedule an RCA recipient for a face-to-face cause determination interview in cases when information from service providers or Central Intake Units (CIUs) appear to indicate that good cause does not exist for an RCA recipient's refusal or failure to comply with the program requirements of an assigned RCA educational or training component.

The notice informs an RCA recipient of 1) his/her failure or refusal to comply with program requirements; 2) a scheduled appointment at which the CWD will discuss, with the RCA recipient, if good cause existed for the failure or refusal to comply; 3) the availability of free assistance with his/her interview from the legal aid

office, welfare rights office, or the Coalition of California Welfare Rights Organizations, Inc.; 4) examples of good reasons for not complying; 5) consequences of not having a good reason for noncompliance, failing to attend the interview, and not agreeing to a participation plan; and, 6) his/her right to request a fair hearing if he/she feels that the CWD's decision is incorrect.

RCA 44 - Notice of No Good Cause Determination and Conciliation Appointment

The RCA 44 replaces the current notice, the RS 39 (Notice of Participation Problem and Proposed Plan to Resolve It [Conciliation Plan]), that is used to inform an RCA recipient that no good cause was found for his/her failure or refusal to comply with the program requirements of an assigned RCA educational or training component and to initiate the beginning of the conciliation process to resolve the RCA recipient's cooperation/participation problem.

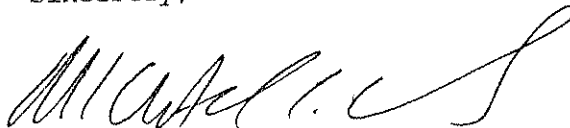
In addition, the notice informs an RCA recipient of 1) the reason(s) for the determination of no good cause; 2) a scheduled appointment date on which the individual and the CWD are to meet to discuss program participation; 3) the CWD's proposed conciliation plan to resolve the participation problem; 4) his/her right to suggest an alternative conciliation plan; 6) the availability of free assistance with his/her conciliation interview and plan from the legal aid office, welfare rights office, and Coalition of California Welfare Rights Organizations, Inc.; 6) his/her right to request a supervisory review of the no good cause determination; and, 7) the final conciliation plan to be completed in order to resolve the participation problem and avoid sanctioning.

Although the RCA 43 and RCA 44 are new, the timelines by which the cause determination and conciliation process are to be completed remain unchanged from those stipulated in the Manual of Policies and Procedures, Section 69-209.2 and 69-210.1, respectively. The notices must be sent out in a timely manner so that the CWD can make a cause determination within 10 working days of learning or being advised that the RCA recipient has failed or refused to comply with program requirements. If the CWD determines that no good cause existed for the failure or refusal, the CWD must begin conciliation no later than 10 days following the date that the CWD becomes aware of the RCA recipient's failure to cooperate/participate, or within 30 days of the date that the recipient failed to cooperate/participate, whichever comes first.

The conciliation process must be completed by the CWDs within 30 days from the date that conciliation begins.

If you have any questions regarding this letter, please contact your Refugee Operations Analyst at (916) 323-2131.

Sincerely,



MICHAEL C. GENEST  
Deputy Director  
Welfare Program Division

Enclosures

**RCA NOTICE OF A  
PARTICIPATION PROBLEM**

DEPARTMENT OF SOCIAL SERVICES

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ISSUE DATE: _____	
CASE NAME: _____	CASE NUMBER: _____
WORKER NAME: _____	WORKER NO.: _____

If you have any questions, please call your eligibility worker.

There is a problem with your participation in the RCA Program. In order to discuss this problem, we have scheduled an interview with you on: \_\_\_\_\_ at \_\_\_\_\_ o'clock at \_\_\_\_\_.

**HERE'S THE PROBLEM:**

- ☐ You did not participate in \_\_\_\_\_ on \_\_\_\_\_.
- ☐ You did not go to a job interview on \_\_\_\_\_.
- ☐ You did not accept a job with \_\_\_\_\_ when referred on \_\_\_\_\_.
- ☐ You quit your job on \_\_\_\_\_.
- ☐ You reduced your earnings on \_\_\_\_\_.
- ☐ Other \_\_\_\_\_.

If you cannot keep this interview, please call your eligibility worker by \_\_\_\_\_ to schedule another interview.

**YOU MAY RESCHEDULE THIS INTERVIEW ONLY ONCE  
AND THE INTERVIEW MUST BE CONDUCTED BY NO LATER THAN \_\_\_\_\_.**

**WHAT IS THE PURPOSE OF THE INTERVIEW?**

The purpose of the interview is to find out if you had a good reason for not doing what RCA requires. If it is decided that you did not have a good reason, you can correct the problem by working with us to agree on a conciliation plan. If you had a good reason for not participating, we will work with you so that you are able to do what RCA requires.

You can get free help with your conciliation plan and with this interview from:

Legal Aid  
Office

Welfare Rights  
Office

CCWRO

See back of this notice for more important information

### **WHAT HAPPENS AT THE INTERVIEW?**

At the interview, you may give your reasons for not doing what RCA requires. If you have a good reason, penalties will not be applied to you. Some good reasons for not participating are: you are required to appear in court, you are ill, you have a family crisis, you have a family illness, you do not have child care, or you do not have transportation.

### **WHAT HAPPENS IF YOU DO NOT ATTEND THE INTERVIEW?**

IF YOU DO NOT COME IN FOR THE INTERVIEW OR CALL TO RESCHEDULE THE INTERVIEW, THE COUNTY WILL DECIDE WHETHER YOU HAVE A GOOD REASON. THE COUNTY WILL USE INFORMATION THAT IS AVAILABLE.

### **WHAT HAPPENS IF YOU DO NOT HAVE A GOOD REASON?**

If the County decides that you did not have a good reason for not doing what RCA requires, you will have to work with the County to agree on a conciliation plan. Penalties will not be applied to you if you agree on the conciliation plan and participate in the program.

### **WHAT HAPPENS IF YOU DO NOT AGREE TO A CONCILIATION PLAN?**

If you do not agree on a conciliation plan during the time allowed, your cash aid will be terminated because you are a mandatory participant.

### **WHAT IF YOU DO NOT AGREE WITH THE COUNTY?**

If you think this action is wrong, you may ask for a hearing. You can also call your eligibility worker if you think this notice is wrong.

These rules apply: you may review them at your welfare office:  
MPP 69-209, MPP 69-221.

# **RCA NOTICE OF NO GOOD CAUSE DETERMINATION AND CONCILIATION APPOINTMENT**

ISSUE DATE: _____	
CASE NAME: _____	CASE NUMBER: _____
WORKER NAME: _____	WORKER NO.: _____

If you have any questions, please call your eligibility worker.

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

There is a problem with your taking part in the Refugee Cash Assistance program. You must discuss your RCA participation problem with your worker and agree on a RCA conciliation plan. Otherwise, your cash aid will be terminated since you are a mandatory participant.

## **HERE'S WHY:**

On \_\_\_\_\_, we decided you did not have a good reason for:

- ☐ not participating in \_\_\_\_\_.
- ☐ not going to a job interview.
- ☐ not accepting a job.
- ☐ quitting your job.
- ☐ reducing your earnings.
- ☐ other \_\_\_\_\_

## **WHAT HAPPENS NEXT?**

In order to help you correct any problems that have kept you from doing what RCA requires, we have scheduled an appointment with you on \_\_\_\_\_ at \_\_\_\_\_ o'clock at \_\_\_\_\_.

We will work with you on a plan for your participation in RCA.

If you cannot keep this appointment, please call your eligibility worker by \_\_\_\_\_ to schedule another appointment.

## **YOU MAY RESCHEDULE THIS APPOINTMENT ONLY ONCE**

**AND THE INTERVIEW MUST BE CONDUCTED BY NO LATER THAN \_\_\_\_\_**

## **CONCILIATION PLAN**

Our proposed plan for you to do what RCA requires is:

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See back of this notice for more important information

## INDIVIDUALS COUNTER PROPOSAL

If you do not agree with our plan, you may suggest your own below, and we will consider it.

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## FINAL CONCILIATION PLAN

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You can get free help with your conciliation plan and with this interview from:

Legal Aid  
Office

Welfare Rights  
Office

CCWRO

## RIGHT TO SUPERVISOR'S REVIEW

If you believe we are wrong in saying you did not have a good reason for not doing what RCA requires, you can ask for a supervisor to review our decision.

These rules apply: you may review them at your welfare office:  
MPP 69-210.